IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

AS.No. 720 of 1997()

OS.11/1995 of SUBORDINATE JUDGE'S COURT, KASARAGOD

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APPELLANTS/PLAINTIFFS:

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1. AISABI, W/O.MOIDU, AGED 57 YEARS, RESIDING NEAR CERAMICS ROAD, THERUVATH, KASARAGOD TALUK, POST KASARAGOD.

2. RAMLA, D/O.MOIDU, AGED 29 YEARS, -DO- -DO-

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENTS/DEFENDANTS:

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1. RUKYA, D/O.ABDULLA HAJI, AGED 28 YEARS, RESIDING AT ILLYAS NAGAR, POST PALLIKKERA, PALLIKKERE VILLAGE, HOSDURG TALUK, KASARAGOD DT.

2. ABDULLA HAJI, S/O.ABDULRAHIMAN, AGED 63 YEARS, -DO- -DO-

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

A.S.No.720 of 1997

Dated, this the 4th day of October, 2007

JUDGMENT

On 17.9.2007 this Court had passed a conditional order to the effect that in case the appellants fail to take steps within two weeks to implead the legal representatives of deceased second respondent the appeal so far as it relates to second respondent will stand closed as abated. Appeal is filed by the plaintiffs and without the legal representatives of deceased second respondent on the party array no effective orders can be passed in this appeal. So the appeal itself is to be dismissed.

In the result, appeal is dismissed.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

A.S.No.401 of 1997

JUDGMENT

4th September, 2007.